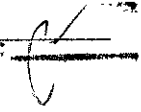


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

10 JUL 15 P3:31

SENATE
S. No. **1495**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE


The Constitution, in its Article II on Declaration of Principles and State Policies, states:

Section 17. The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

In recent years, boxing has become one of the most popular sports in our country as the best Filipino boxers competing in international matches caught wide media attention. In Asia, professional records of Filipino boxers have paralleled, if not surpassed, those of Thailand and Japan, while in the rest of the world, they have competed against Mexico and other Latin American countries known as breeding grounds of ring warriors. All these show that Filipino boxers indeed possess physical strength, skills, and talents, which if given the proper support of the State, will potentially place them in top ranks.

Boxing has attracted many youths especially those who are from poor families. To them, boxing has become a means of livelihood to escape from poverty. And because of lack of proper guidance, there are some unscrupulous individuals acting as promoters and managers, take advantage of them, both physically and financially.

This bill aims for that State protection they need and for the establishment of an agency that will steer their talents and skills towards proper direction, with the end in view of making our country stand among the rest in this arena of sports.¹


MIRIAM DEFENSOR SANTIAGO

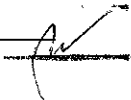
¹ This bill was originally filed during 14th Congress, 1st Regular Session.

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 JUL 15 P3:31

SENATE
S. No. **1495**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO STRENGTHEN THE COUNTRY'S STANDING IN BOXING SPORTS, ENSURE THE
WELFARE OF ITS BOXERS, AND PROVIDING FUNDS THEREFOR

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* - This Act shall be known as the "Boxers' Welfare Act".

SECTION 2. *Statement of Policy.* - The State shall promote excellence in the sports of boxing by establishing a national integrated system for search and recruitment, and providing for the welfare of its Filipino boxers, coaches and trainers, competing for the country.

SECTION 3. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

(A) Administration – means the Philippine Boxing Administration;

(B) Boxer – means an individual who fights in a professional boxing match;

(C) Boxer registry – means any entity certified by the Philippine Boxing Administration for the purposes of maintaining records and identification of boxers;

(D) Licensee – means an individual who serves as a trainer, second, or cutman for a boxer;

(E) Manager – means a person who receives compensation for service as an agent or representative of a boxer;

1 (F) Matchmaker – means a person that proposes, selects, and arranges the boxers to
2 participate in a professional boxing match;

3 (G) Professional boxing match - means a boxing contest held in the Philippines between
4 individuals for financial compensation. Such term does not include a boxing contest that
5 is regulated by an amateur sports organization;

6 (H) Promoter-The term “promoter” means the person primarily responsible for
7 organizing, promoting, and producing a professional boxing match. The term
8 “promoter” does not include a hotel, casino, resort, or other commercial establishment
9 hosting or sponsoring a professional boxing match unless- (i) the hotel, casino, resort, or
10 other commercial establishment is primarily responsible for organizing, promoting, and
11 producing the match; and (ii) there is no other person primarily responsible for
12 organizing, promoting, and producing the match;

13 (I) Sanctioning Organization- means an organization that sanctions professional boxing
14 matches in the Philippines- (i) between boxers who are residents of different countries;
15 or (ii) that are advertised, otherwise promoted, or broadcast (including closed circuit
16 television) in a country other than Philippines.

17 SECTION 4. *Philippine Boxing Administration.* - There is hereby created the Philippine
18 Boxing Administration, under the Department of Labor, headed by a Chairman, who is assisted
19 by a Vice-Chairman, General Counsel, and other staff.

20 SECTION 5. *Administration Chairman.* - The Chairman shall be appointed by the
21 President and shall serve for a term of 4 years. He shall be an individual who – (a) has extensive
22 experience in professional boxing activities or in a field directly related to professional sports;
23 (b) is of outstanding character and recognized integrity; and (c) is selected on the basis of
24 training, experience, and qualifications, and without regard to party affiliation.

25 SECTION 6. *Administration Vice-Chairman, General Counsel, and Other Staff.* - The
26 Administration shall have an assistant chairman and a general counsel, who shall be appointed

1 by the chairman. The assistant chair shall serve as chairman in the absence of the chairman, in
2 the event of the inability of the chairman to carry out the functions of the chairman, or in the
3 event of a vacancy in that office, and to carry out such duties as may be assigned by the
4 chairman. The Administration shall have such additional staff as may be necessary to carry out
5 the functions of the commission.

6 SECTION 7. *Administration Functions.* - The Administration shall establish and
7 enforce uniform rules and practices related to boxing. It shall supervise all boxing events held
8 within the country. The functions of the Games and Amusement Board as well as all other
9 entities related to boxing are hereby transferred to the Administration.

10 In the performance of its function, the Administration shall be guided by its mandate to
11 protect the boxers from physical and financial exploitation. The Administration shall see to it
12 that the following acts are prevented or curtailed or prohibited:

- 13 (a) promoters deducting large percentages of a boxer's purse for their own use;
- 14 (b) promoters coercing boxers into signing long-term, onerous contracts as a condition
15 for competing;
- 16 (c) promoters forcing boxers to hire an associate or relative of the promoter; and
- 17 (d) illegitimate ratings systems wherein sanctioning organizations rank boxers and
18 award 'championship titles' based on boxers' personal connections rather than win/loss records.

19 SECTION 8. *Cooperation with sanctioning bodies.* - The Administration shall work
20 closely with international or regional sanctioning bodies over all professional boxing matches
21 held within the country.

22 SECTION 9. *Licensing requirements.* - No person may compete in a professional
23 boxing match or serve as a manager, promoter, or sanctioning organization for a professional
24 boxing match except as provided in a license granted to that person by the Administration. The
25 Administration shall (i) establish application procedures, forms, and fees; (ii) establish and

1 publish appropriate standards for licenses granted under this section; and (iii) issue a license to
2 any person who, as determined by the Administration, meets the standards established by the
3 Administration under this title. A license issued under this section shall be for a renewable-- (i)
4 4-year term for a boxer; and (ii) 2-year term for any other person. The Administration may issue
5 a license under this paragraph through local boxing authorities or in a manner determined by the
6 Administration.

7 SECTION 10. *Licensing fees* - The Administration may prescribe and charge
8 reasonable fees for the licensing of persons under this title. The Administration may set, charge,
9 and adjust varying fees on the basis of classifications of persons, functions, and events
10 determined appropriate by the Administration. In setting and charging fees under paragraph (1),
11 the Administration shall ensure that, to the maximum extent practicable--(A) club boxing is not
12 adversely effected; (B) sanctioning organizations and promoters pay the largest portion of the
13 fees; and (C) boxers pay as small a portion of the fees as is possible. (3) Fees established under
14 this subsection may be collected through local boxing authorities or by any other means
15 determined appropriate by the Administration

16 SECTION 11. *Requirements for registry*. - The Administration, shall establish and
17 maintain (or authorize a third party to establish and maintain) a unified national computerized
18 registry for the collection, storage, and retrieval of information related to the performance of its
19 duties. The information in the registry shall include the following: (1) Boxers - A list of
20 professional boxers and data in the medical registry, which the Administration shall secure from
21 disclosure in accordance with the confidentiality requirements. (2) Other personnel -
22 Information (pertinent to the sport of professional boxing) on boxing promoters, boxing
23 matchmakers, boxing managers, trainers, cut men, referees, boxing judges, physicians, and any
24 other personnel determined by the Administration as performing a professional activity for
25 professional boxing matches.

26 SECTION 12. *Administration approval*. - No person may arrange, promote, organize,
27 produce, or fight in a professional boxing match within the Philippines, unless the match is
28 approved by the Administration.

1 SECTION 13. *Safety Standards.* - No person may arrange, promote, organize, produce,
2 or fight in a professional boxing match without meeting each of the following requirements:

3 (A) A physical examination of each boxer by a physician certifying whether or not the
4 boxer is physically fit to safely compete, copies of which must be provided to the
5 Administration;

6 (B) An ambulance or medical personnel with appropriate resuscitation equipment
7 continuously present on site;

8 (C) A physician continuously present at ringside.

9 (D) Health insurance for each boxer to provide medical coverage for any injuries
10 sustained in the match.

11 SECTION 14. *Registration.* - Each boxer shall register with the Administration. The
12 Administration shall issue to each professional boxer who registers an identification card that
13 contains each of the following:

14 (A) A recent photograph of the boxer;

15 (B) The social security number of the boxer (or, in the case of a foreign
16 boxer, any similar citizen identification number or professional boxer number from the country
17 of residence of the boxer);

18 (C) A personal identification number assigned to the boxer by a boxing registry. Each
19 professional boxer shall renew his or her identification card at least once every four (4) years.
20 Each professional boxer shall present his or her identification card to the Administration not
21 later than the time of the weigh-in for a professional boxing match.

22 It is the sense of the Congress that the Administration should, upon issuing an
23 identification card to a boxer, make a health and safety disclosure to that boxer as the
24 administration considers appropriate. The health and safety disclosure should include the health

1 and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury
2 and the advisability that a boxer periodically undergo medical procedures designed to detect
3 brain injury.

4 SECTION 15. *Review. - Procedures.* - The Administration shall establish each of the
5 following procedures:

6 (A) Procedures to evaluate the professional records and physician's certification of
7 each boxer participating in a professional boxing match in the state, and to deny
8 authorization for a boxer to fight where appropriate.

9 (B) Procedures to ensure that, except as provided in subsection (b), no boxer is
10 permitted to box while under suspension from any boxing commission due to--

11 (1) a recent knockout or series of consecutive losses;

12 (2) an injury, requirement for a medical procedure, or physician denial of
13 certification;

14 (3) failure of a drug test;

15 (4) the use of false aliases, or falsifying, or attempting to falsify, official
16 identification cards or documents; or

17 (5) unsportsmanlike conduct or other inappropriate behavior inconsistent with
18 generally accepted methods of competition in a professional boxing match.

19 (C) Procedures to review a suspension where appealed by a boxer, licensee, manager
20 matchmaker, promoter, or other boxing service provider, including an opportunity
21 for a boxer, licensee, manager, matchmaker, promoter, or other boxing service
22 provider to present contradictory evidence.

23 (D) Procedures to revoke a suspension where a boxer--

(1) was suspended under subparagraph (1) or (2) of paragraph (B) of this subsection, and has furnished further proof of a sufficiently improved medical or physical condition;

(2) furnishes proof under subparagraph (3) or (4) of paragraph (B) that suspension was not, or is no longer, merited by the facts.

SECTION 16. *Suspension in a foreign country.*- The Administration may allow a boxer who is under suspension in any state to participate in a professional boxing match--

(1) for any reason other than those listed in subsection (a) if such commission notifies in writing and consults with the designated official of the suspending state's boxing commission prior to the grant of approval for such individual to participate in that professional boxing match; or

(2) if the boxer appeals to the Administration, and the Administration determines that the suspension of such boxer was without sufficient grounds, for an improper purpose, or not related to the health and safety of the boxer or the purposes of this Act.

SECTION 17. *Contract requirements.* - The Administration shall develop guidelines for minimum contractual provisions that shall be included in each bout agreement, boxer-manager contract, and promotional agreement. The Administration shall ensure that these minimal contractual provisions are present in any such agreement or contract submitted to it.

SECTION 18. *Protection from Coercive Contracts.* -

(1)(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it- (i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or (ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

1 (B) A coercive provision described in this subparagraph is a contract provision that
2 grants any rights between a boxer and a promoter, or between promoters with respect to a boxer,
3 if the boxer is required to grant such rights, or a boxer's promoter is required to grant such
4 rights with respect to a boxer to another promoter, as a condition precedent to the boxer's
5 participation in a professional boxing match against another boxer who is under contract to the
6 promoter.

7 (2) This subsection shall only apply to contracts entered into after the date of the
8 enactment of this Act.

9 (3) No subsequent contract provision extending any rights or compensation covered in
10 paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing
11 such provision is earlier than 3 months before the expiration of the relevant time period set forth
12 in paragraph (1).

13 SECTION 19. *Promotional rights under mandatory bout contracts.* - No boxing service
14 provider may require a boxer to grant any future promotional rights as a requirement of
15 competing in a professional boxing match that is a mandatory bout under the rules of a
16 sanctioning organization.

17 SECTION 20. *Protection from Coercive Contracts with Broadcasters.*- Section 18 of
18 this section applies to any contract between a commercial broadcaster and a boxer, or granting
19 any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce,
20 regardless of the broadcast medium. For the purpose of this subsection, any reference in
21 Section 18(1)(B) to "promoter" shall be considered a reference to "commercial broadcaster."

22 SECTION 21. *Filing and Approval Requirements.* - A manager or promoter shall
23 submit a copy of each boxer-manager contract and each promotional agreement between that
24 manager or promoter and a boxer to the Administration. The Administration may not approve a
25 professional boxing match unless a copy of the bout agreement related to that match has been
26 filed with it and approved by it.

1
2 SECTION 22. *Bond and other surety.* – The Administration may not approve a
3 professional boxing match unless the promoter of that match has posted a surety bond, cashier's
4 check, letter of credit, cash, or other security with the commission in an amount acceptable to
5 the commission.

6 SECTION 23. *Online recruitment and personal sports profile.* - The Board shall
7 establish, develop, operate, and maintain an online recruitment system consisting of a website
8 whereby any individual who has potential skill in boxing may build their personal sports profile
9 including video, contact information, photo, stats, and bio, and upload them to the website
10 easily accessible to the coaches and promoters. The system shall have a search engine that
11 allows coaches and promoters to find boxers by matching qualifying requirements with data
12 input by boxers during registration. The website shall contain a sport specific online registration
13 form. A basic data only profile is given to athletes for free when they register but athletes must
14 pay ____ for annual membership if they wish to include video and receive the added services of
15 e-mailing and editing their video.

16 SECTION 24. *Implementing Rules and Regulations.* - The Philippine Boxing
17 Administration, in coordination with the Philippine Sports Commission, Games and
18 Amusements Board, Department of Labor, and other concerned agencies shall promulgate and
19 issue the Implementing Rules and Regulations within sixty (60) days upon approval of this Act.

20 SECTION 25. *Separability Clause.* - If any provision or part of this Act, or the
21 application thereof to any person or circumstances, is held invalid or unconstitutional, the
22 remaining sections of this Act or the application of such provision or part hereof to other
23 persons or circumstance shall remain in full force and effect.

24 SECTION 26. *Repealing Clause.* - All laws, decrees, orders, issuances, rules and
25 regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed,
26 amended or modified accordingly.

1 SECTION 27. *Effectivity*. - This Act shall take effect fifteen (15) days after its approval
2 and publication in the *Official Gazette* and/or in two (2) newspapers of general circulation,
3 whichever comes earlier.

Approved.